

### **REMARKS**

Applicants and the undersigned thank Examiner Koehler for carefully reviewing this application. Reconsideration of the present application in light of the above-amendments and the following remarks is respectfully requested.

#### **Status of the Claims**

Upon entry of the above-amendments, claims 1-51 are pending in this application. Of those, claims 4, 7-12, 16-25, 29, 32, 36-40, 42-44, and 46-51 are withdrawn.

#### **Rejections Under 35 U.S.C. §112**

Claims 26, 27, 28, 30, and 45 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 26, 27, 28, 30, and 45 have been amended to remove the antecedent basis issues noted by the Examiner. Additionally, the remaining claims have been reviewed and amended to correct similar antecedent basis issues in which terms for the tubulars were used inconsistently. Withdrawal of this rejection is respectfully requested.

#### **Rejections Under 35 U.S.C. §102**

Claims 1, 13, and 26 were rejected under 35 U.S.C. §102(b) as being anticipated by *Cartry, et al.* (U.S. Patent No. 4,819,315). Claims 1, 13, and 26 have been amended to more clearly recite the claimed invention. To the extent the Examiner maintains the rejection with respect to the amended claims, that rejection is respectfully traversed.

For clarity, “tubular” is used in the following remarks as a generic term for casing and pipes. With reference to Figure 4 (reproduced below in part), claims 1, 13, and 26 each recite an insulated pipeline or wellbore casing in which an inner tubular 10 is expanded within an outer tubular 14. Resilient sleeves 12 are disposed between the inner and outer tubulars 10, 14. An annulus 20 (*i.e.* circumferential gap) is defined between the inner and outer tubulars 10, 14 by the thickness of resilient sleeves 12 after expansion of the inner tubular 10. The annulus 20 defined between the inner and outer tubulars 10, 14, which may be air or filled with insulating material, provides the insulating properties of the claimed invention.

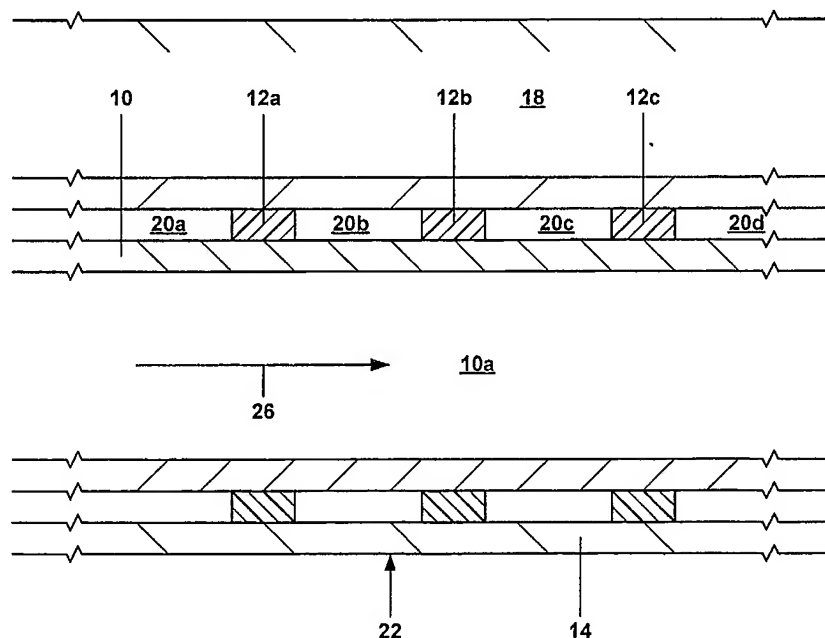
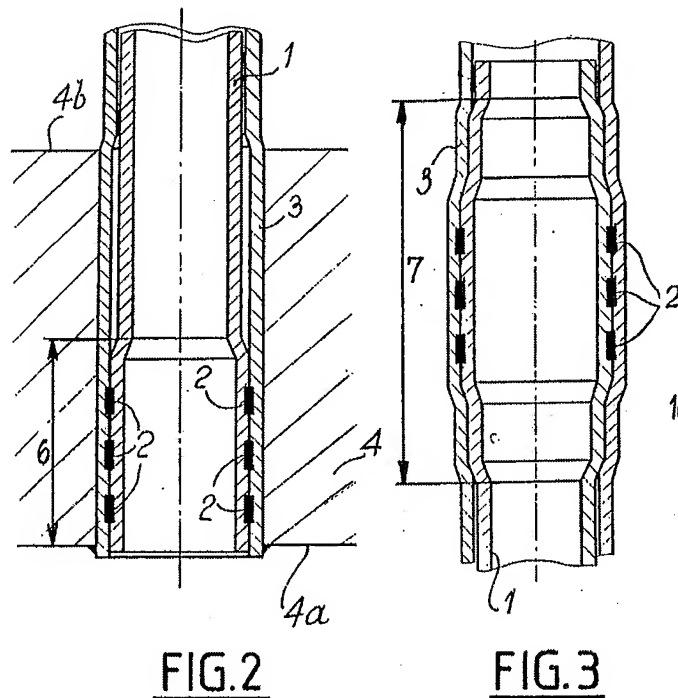


Fig. 4

4/14

With reference to Figures 2 and 3 (reproduced below), *Cartry* uses metal rings 2 that are harder than the metal of the outer tubular 3 and inner tubular 1 (Abstract). When inner tubular 1 is fully expanded in the two-step process, the metal rings 2 embed into both the inner tubular 1 and the outer tubular 3 (Col. 4, lines 46-56). As shown in Figures 2 and 3, the result of the expansion process disclosed by *Cartry* is that the outer circumference of the inner tubular 1 is fully in contact with the inner circumference of the outer tubular 3, with no annulus between the two. *Cartry* neither shows nor suggest *resilient* sleeves that leave an annulus between the inner and outer tubulars in order to provide insulating properties to a wellbore casing or pipeline, as recited in claims 1, 13, and 26.



In view of the above, *Cartry* neither shows nor suggests the claimed invention as recited in claims 1, 13, and 26. Thus, claims 1, 13, and 26 are patentable over *Cartry*. Dependent claims are patentable for at least the same reasons. Accordingly, withdrawal of the rejections is respectfully requested.

**Rejections Under 35 U.S.C. §103**

Claims 2, 3, 5, 27, 28, 30, 31, 33, 34, and 45 were rejected under 35 U.S.C. §103(a) as being unpatentable over *Cartry* in view of *Ruggles, et al.* (U.S. Patent No. 5,472,243).

Claims 6 and 35 were rejected under 35 U.S.C. §103(a) as being unpatentable over *Cartry* in view of *Ruggles* as applied to the claims above, and further in view of *Kaplowitz, et al.* (U.S. Patent No. 2,850,796).

Claims 14, 15, and 41 Claims 6 and 35 were rejected under 35 U.S.C. §103(a) as being unpatentable over *Cartry* in view of *Kaplowitz*.

Claims 2, 3, 5, and 6 depend from claim 1 discussed above with respect to *Cartry*. Claims 14 and 15 depend from claim 13 discussed above with respect to *Cartry*. Claims 27, 28, and 30 depend from claim 26 discussed above with respect to *Cartry*. Claims 31, 33-35, and 41 have been

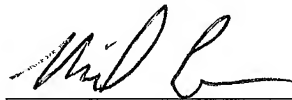
amended to contain analogous limitations to those discussed above for claims 1, 13, and 26 with respect to *Cartry*. *Ruggles* and *Kaplowitz* do not provide that which *Cartry* lacks with respect to claims 1, 13, 26, 31, 33-35, and 41. Specifically, *Cartry*, *Ruggles* and *Kaplowitz* each fail to show or suggest an annulus defined between inner and outer tubulars by the thickness of resilient sleeves following expansion of the inner tubular, as recited in claims 1, 13, 26, 31, 33-35, and 41.

In view of the above, *Cartry*, *Ruggles* and *Kaplowitz*, whether considered separately or in combination, neither show nor suggest the claimed invention as recited in claims 1, 13, 26, 31, 33-35, and 41. Thus, claims 1, 13, 26, 31, 33-35, and 41 are patentable over *Cartry*, *Ruggles* and *Kaplowitz*. Dependent claims are patentable for at least the same reasons. Accordingly, withdrawal of the rejections is respectfully requested.

**CONCLUSION**

Applicants believe all matters in the Office Action dated November 27, 2009 have been addressed. It is believed that no extensions of time or fees are required. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required (including fees for net addition of claims) are hereby authorized to be charged to Deposit Account Number 03-2769 (ref. no. 2725-12503).

Respectfully submitted,



---

Michael E. Leman  
Reg. No. 56,864  
CONLEY ROSE, P.C.  
P.O. Box 3267  
Houston, Texas 77253-3267  
(713) 238-8000 (Phone)  
(713) 238-8008 (Fax)